

# Supreme Court of Florida

**ORIGINAL**

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No. 77,788

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EDWARD WESTBROOK, Petitioner,

vs.

STATE OF FLORIDA, Respondent.

[March 26, 1992]

PER CURIAM.

We approve Westbrook v. State, 574 So.2d 1187 (Fla. 3d DCA 1991), on the authority of Burdick v. State, No. 78,466 (Fla. Feb. 6, 1992).

It is so ordered.

SHAW, C.J. and OVERTON, McDONALD, BARKETT, GRIMES, KOGAN and HARDING, JJ., concur.

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF FILED, DETERMINED.

Application for Review of the Decision of the District Court of  
Appeal - Direct Conflict of Decisions

Third District - Case No. 89-3017

(Dade County)

Bennett H. Brummer, Public Defender and Elliot H. Scherker,  
Assistant Public Defender, Eleventh Judicial Circuit, Miami,  
Florida,

for Petitioner

Robert A. Butterworth, Attorney General and Anita J. Gay,  
Assistant Attorney General, Miami, Florida,

for Respondent